

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 11/20/2020

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ELIEZER LEVIN,

Plaintiff,

v.

THE MINISTRY OF CULTURE AND TOURISM,  
REPUBLIC OF TURKEY,

Defendant.  
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REPUBLIC OF TURKEY,

Counterclaim Plaintiff,

v.

ELIEZER LEVIN,

Counterclaim  
Claimant-Defendant,

STATUE OF THE GODDESS CYBELE,  
Counterclaim  
Defendant-in-rem.  
-----X

Case No. 18-cv-1586-JGK

~~PROPOSED~~ AMENDED  
SUBSTITUTE CUSTODIAN  
ORDER

WHEREAS, on February 21, 2018, plaintiff Eliezer Levin ("Levin"), commenced the instant action by filing a Complaint for Declaratory Judgment asserting and seeking declaratory judgment against Defendant the Ministry of Culture and Tourism, Republic of Turkey with

respect to a certain 58.5-centimeter-tall ancient marble statue of the goddess Cybele (the “Cybele”);

WHEREAS, Defendant and Counterclaim Plaintiff Republic of Turkey (the “Republic”) disputed and denied such claims and brought counterclaims seeking recovery of the Cybele:

WHEREAS, Christie’s in New York, New York, (“Christie’s”) has agreed to serve as a substitute custodian for the Cybele and hold it in their custody and control pending resolution of the instant action;

WHEREAS, the Court has determined that it is in the best interest of both Levin and the Republic to have the Cybele held at Christie’s pending the resolution of the instant action (*see* Substitute Custodian Order dated April 6, 2018 (Dkt. No. 12));

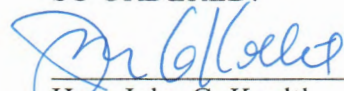
NOW THEREFORE IT IS HEREBY ORDERED THAT:

1. Christie’s is hereby appointed by this Court as a substitute custodian for the Cybele pending resolution of the instant matter.
2. Christie’s shall maintain sole and exclusive custody of the Cybele pending either (i) delivery to Christie’s of a joint letter signed by attorneys for the Republic and Levin directing Christie’s to deliver custody and possession of the Cybele to a representative of the Republic designated in writing; or (ii) a further order of this Court.

Dated: New York, New York

11/20, 2020

SO ORDERED:



Hon. John G. Koeltl,  
United States District Judge